

REMARKS

Claims 3, 7, and 8 stand rejected under 35 USC 112, second paragraph. Claims 3-5 and 7 stand rejected under 35 USC 103 as being unpatentable over a published article by Germeraad in view of a published article by Klenz in further view of a published article by Jiang. Claims 6 and 8 stand rejected under 35 USC 103 as being unpatentable over a published article by Germeraad in view of a published article by Klenz in view of a published article by Jiang in further view of a published article by Fowler.

Response to Rejections Under Section 112:

Applicant has amended claim 3 as supported at least by paragraphs 14 and 22 of the originally filed substitute specification. This amendment eliminates the “means” language, thereby eliminating the 35 USC 112 paragraph 6 requirement rejections, and the attendant 35 USC 112 paragraph 1 requirements. Applicant respectfully requests the 35 USC 112 paragraph 6 rejection, as well as the 35 USC 112 paragraph 1 rejections of claim 3, and claims 7 and 8, which inherited the claim 3 deficiencies, be withdrawn.

Response to Rejections Under Section 103:

Applicant has amended the all the claims with matter supported as noted above. In amended claim 3 Applicant now claims “**generating** a strategy for correcting deviations of actual characteristic variables of a sub-aspect from the ideal characteristic variables of a sub-aspect upon selection of the sub-aspect; and displaying the strategy upon selection of the sub-aspect.” This is supported by paragraphs 14 and 22 of the originally filed specification, particularly in paragraph 22 where Applicant states that the instructional message can e.g. appear as “use procedure XY.” It is inherent in the specification as well that Applicant generates strategies based on actual and idea characteristic variables, as there is no mention of prior solution strategies.

Klenz (page 3, paragraph 6) teaches generating a “short **list** of previous problems that are consistent with the current operating conditions...the corrective actions taken, and how they worked.” Klenz only reports what actions have been taken in the past under the operating conditions. Klenz does not generate the strategy; Klenz only generates a **list** of strategies that

were employed, **regardless** of whether the strategy corrected the deviation or not. Klenz is silent as to the source of the strategy, but it appears from Klenz that Klenz “guides” decisions of human operators. Thus, Klenz does not generate a strategy, it only generates a list. That Klenz does not teach or suggest Applicant’s claim 3 can be seen in the situation where there is no history, or no history for the operating conditions, for Klenz to draw from. In that situation, the system of Klenz will have no historical data to draw from, and will not be able to produce a list of strategies at all, while Applicant’s claim 3 system would still be able to produce a strategy. Applicant can find nothing in Germeraad or Jiang that would teach or suggest the limitation that Applicant asserts Klenz does not teach or suggest. Applicant respectfully requests the 35 USC 103 rejection of claim 3, and claim 7, which depends from and includes all the limitations of claim 3, based on Germeraad in view of Klenz in further view of Jiang, be withdrawn.

In amended claim 7 Applicant now claims “wherein displaying a strategy for correcting deviations ... comprises displaying a message suggesting the **best** way to correct the deviation of the respective sub-aspect.” (As supported by the last line of paragraph 22 of the originally filed substitute specification, in which a message makes a specific suggestion.) Klenz only teaches displaying a history of corrective actions, but does not make any selection regarding which to use under the conditions, and does not teach or suggest limiting the suggested strategies to those strategies that were successful. Applicant can find nothing in Germeraad or Jiang that would teach or suggest the limitation that Applicant asserts Klenz does not teach or suggest. Applicant respectfully requests the 35 USC 103 rejection of claim 7, based on Germeraad in view of Klenz in further view of Jiaang, be withdrawn.

In amended claim 4 Applicant now claims “**generate** a strategy for correcting deviations of actual characteristic variables of a sub-aspect from the ideal characteristic variables of a sub-aspect...” As noted above, none of the references teaches or suggests generating a strategy. Applicant respectfully requests the 35 USC 103 rejection of claim 4, and claim 5, which depends from and includes all the limitations of claim 4, based on Germeraad in view of Klenz in further view of Jiang, be withdrawn.

In amended claim 5 Applicant now claims “displaying a strategy comprises a message suggesting the **best** way to correct the deviation of the selected sub-aspect.” As argued above, none of the references teach or suggest this limitation. Applicant respectfully requests the 35

USC 103 rejection of claim 5, based on Germeraad in view of Klenz in further view of Jiang, be withdrawn.

Fowler does not teach or suggest any of the claim 4 or 3 limitations that Germeraad, Jiang, and Klenz do not teach or suggest. Thus, Claims 4 and 3 survive application of Germeraad, Jiang, Klenz, and Fowler. Accordingly, claims 6 and 8, which depend from and include the limitations of claims 4 and 3 respectively, must also survive the application of Germeraad, Jiang, Klenz, and Fowler. Applicant respectfully requests the 35 USC 103 rejection of claims 6 and 8, based on Germeraad in view of Klenz in view of Jiang, in further view of Fowler be withdrawn.

In amended claim 6 Applicant claims “displaying a strategy comprises displaying an **adjustable control for each actual characteristic variable** of the selected sub-aspect, and **indicating which of the adjustable controls of the selected sub-aspect needs to be adjusted.**” Fowler may teach feedback, but Fowler does not teach feedback displaying an adjustable control for each actual characteristic variable, or indicating which of the adjustable controls...needs to be adjusted. Applicant can find nothing in Germeraad, Jiang, or Klenz that would teach or suggest the limitation that Applicant asserts Fowler does not teach or suggest. Applicant respectfully requests the 35 USC 103 rejection of claim 6, based on Germeraad in view of Klenz in view of Jiang, in further view of Fowler be withdrawn.

In amended claim 8 Applicant claims “displaying an adjustable control for **each** actual characteristic variable of the selected sub-aspect, and **indicating which** of the adjustable controls of the selected sub-aspect needs to be adjusted.” As argued above, the references do not teach or suggest this limitation. Applicant respectfully requests the 35 USC 103 rejection of claim 8, based on Germeraad in view of Klenz in view of Jiang, in further view of Fowler be withdrawn.

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Conclusion

Applicants respectfully request reconsideration and allowance of the present application in view of the foregoing arguments. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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